



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/264,762

03/09/1999

RICHARD N. JURMAIN

BT10

3685

23403

7590

06/21/2006

SHERRILL LAW OFFICES

4756 BANNING AVE

SUITE 212

WHITE BEAR LAKE, MN 55110-3205

EXAMINER

STOICA, MARIA

ART UNIT

PAPER NUMBER

3715

DATE MAILED: 06/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/264,762

Applicant(s)

JURMAIN, RICHARD N.

Examiner

Maria Stoica

Art Unit

3715

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-30 and 32-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-30 and 33-42 is/are rejected.
- 7) ☒ Claim(s) 32 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

In view of the appeal brief filed on 20 May 2004, PROSECUTION IS HEREBY REOPENED. New grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below: Robert Olszewski.

Status of Claims

1. Claims 1-4, 6-30, and 32-42 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 3715

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 12 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Kirschebaum et al. (US Patent No. 5,217,379). Kirschenbaum discloses a portable personality simulator comprising a case (Figure 3), an electronic circuit housed within the case (Figures 8 (a)-(d)), and a speaker, the speaker being housed within the case and being electrically interconnected to the electronic circuit (10), the speaker emitting spoken words commanding the user to behave in a desired manner (col. 9, lines 4-9). Kirschenbaum further discloses a visual display being mounted on the case (19), the visual display being electrically interconnected to the electronic circuit, the visual display issuing messages to the user (col. 7), as in claim 19.

3. Claims 1-2 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Brown'603 (US Patent No, 5,918,603).

Regarding claims 1-2, Brown'603 discloses an addiction simulator comprising an enclosure (30), an electronic circuit within the enclosure (Figure 1), an actuator electrically interconnected to the electronic circuit (i.e., the power switch), a pushbutton switch (3 (a)-(e)), the switch being used by the user to simulate participation in an addictive activity involving drugs (i.e., the game is used to treat an addiction or

dependency in a user, see col. 2, lines 2-4; 56-67), and an alpha-numeric display responsive to actuations of the pushbutton switch (Figure 7).

Regarding claim 13, Brown'603 discloses a portable personality simulator comprising a case (30), an electronic circuit housed within the case (col. 4, lines 54-57), and a speaker, the speaker being housed within the case and being electrically interconnected to the electronic circuit (15), the speaker emitting spoken words commanding the user to behave in a desired manner (col. 7, lines 12-15). Regarding claim 13, Brown'603 also discloses at least one sensor, the sensor being electrically interconnected to the electronic circuit, the sensor detecting and verifying at least one behavioral act of the user in response to sounds emitted from the speaker (col. 5, lines 24-31).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brown'603 in view of Diamond (US Patent No. 3,315,373). Brown'603 does not expressly disclose a slot, the slot being formed within a surface of the enclosure so as to permit the introduction of a thin material into the enclosure, and a momentary contact switch mounted adjacent to the slot and electrically interconnected to the electronic

circuit, the momentary contact switch sensing the presence of money within the slot. However, Diamond discloses an educational device that uses coins to indicate user input to the device and that rewards the user by returning the coins to the user for a correct action being taken (col. 2, lines 28-32). It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the method of using money to activate the learning device, as taught by Diamond, into the apparatus of Brown'603 in order to give incentive to the user for using the device.

5. Claims 4 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown'603 in view of Bonnett (US Patent No. 4,138,722). Brown'603 does not expressly disclose a bellows switch electrically interconnected to the electronic circuit, and a breathing tube passing from the interior region to an exterior region of the enclosure, the breathing tube being in fluid communication with the bellows switch such that inhaling through the breathing tube activates the bellows switch. However, Bonnett discloses an aid for inhibiting smoking that includes a bellows switch attached through a tube that is inserted into the case of the device (col. 2, line 63- col. 3, line 7), and that is in electronic communication with the device (30, 32). Further, regarding claim 10, it seems that, from the shape of item 46, the tube would produce some sort of whistling sound when breathed through since it is not airtight.

6. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kirschenbaum in view of Gozlan et al. (US Patent No. 5,595,488). Kirschenbaum does

not expressly disclose a recess being adapted to secure an accessory used in association with the simulator. However, Gozlan teaches a behavior modification training device with a recess to accept straps so that the device may be worn as a wristwatch (Figure 6 and col. 9, lines 29-33). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Kirschenbaum by applying the recess and strap attachment method as taught by Gozlan in order to allow the user to easily carry the portable device with them and to help prevent losing the device.

7. Claims 6, 8-9, 11, 14, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown'603 in view of Ron (US Patent No. 5,647,834).

Regarding claims 6, 8-9, and 14, as discussed in the claim 13 rejection, Brown'603 discloses a sensor to detect physiological parameters. Brown'603 does not expressly disclose that the sensor is a microphone, the microphone detecting sounds made by the user. However, Ron teaches a biofeedback device that determines physiological variables, where the input device comprises a microphone that detects sounds made by a user (col. 4, lines 39-44). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the microphone biofeedback sensor method in order to determine emotional states of the user for monitoring stress and other physiological variables that can best be determined through the use of a microphone. Further, regarding claim 9, Ron does not expressly disclose that the speech recognition circuit recognizes mechanical sounds. However, it

is inherent that the circuit could detect such sounds if there was a mechanical component associated with the breathing mechanism of the user.

Regarding claims 11 and 18, Ron further teaches that the user is prompted to change their response based on a certain given goal (col. 7, lines 49-57) where the instructions can be provided in voice format (col. 8, lines 37-38). Although Ron teaches that the voice be prerecorded, the examiner takes Official Notice that it is common in the art to use speech synthesizers to create a spoken instruction when a human voice is not readily available to be recorded for the program. It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate a speech synthesizer to replace the recorded instructions in order to allow for more combinations of instruction and to allow for dynamic creation of instruction messages.

8. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brown'603 in view of Hashimoto et al. (US Patent No. 4,387,269). Brown'603 discloses a speaker (15), but does not expressly disclose that audible indications are issued to the user through the speaker. However, Hashimoto teaches implementing a voice synthesizer into electronic devices in order to issue instructions to a user of the device (col. 1, lines 10-18). It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the speech synthesizer as taught by Hashimoto into the device of Brown'603 in order to indicate to a user a desired action to be taken by the user.

Art Unit: 3715

9. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brown'603. Brown'603 discloses a hypodermic device, producing a signal when activated, the signal being sensed by a sensor and being subsequently processed by the electronic circuit (col. 3, lines 15-18). Brown'603 does not expressly disclose that the device is a simulation device. However, for the purposes of testing the abilities of the game, the examiner takes Official Notice that it is well known in the art that in test cases, simulation devices replace the regular devices for cost and control purposes. It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the simulation device in the system of Brown'603 in order to allow for testing of the device.

10. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kirschebaum in view of Diamond. Kirschenbaum does not expressly disclose a slot, the slot being formed within a surface of the enclosure so as to permit the introduction of a thin material into the enclosure, and a momentary contact switch mounted adjacent to the slot and electrically interconnected to the electronic circuit, the momentary contact switch sensing the presence of money within the slot where the input is required in response to a prompt. However, Diamond discloses an educational device that uses coins to indicate user input to the device in response to a question and that rewards the user by returning the coins to the user for a correct action being taken (col. 2, lines 28-32). It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the method of using money to activate the learning device, as taught by

Diamond, into the apparatus of Kirschenbaum in order to encourage a user to give incentive to the user for using the device.

11. Claims 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bonnett in view of Reid (US Patent No. 6,125,082). Bonnett discloses a portable personality simulator comprising a case (10), an electronic circuit housed within the case (14), and an orifice formed within the case (to allow 30 to connect to 32), the orifice permitting introduction of air outside of the case into an interior region of the case where a breathing apparatus allows the user to exhale into the case (Figure 1). Bonnett does not expressly disclose a speaker being housed within the case and being electrically interconnected to the electronic circuit, the speaker emitting spoken words commanding the user to behave in a desired manner. However, Reid discloses a behavior modification mechanism with a speaker (col. 1, lines 41-42). It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the speaker method into the device of Bonnett in order to discourage the user from smoking by verbally presenting the user with the adverse effects of smoking.

12. Claims 22-23 and 26-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown'603 in view of Hashimoto and Sloane et al. (US Patent No. 5,813,863). Brown'603 discloses an entertainment device comprising a case (30), a power source (inherent, since it is an electronic, hand-held unit), a programmable electronic circuit powered by the power source (Figure 1), a visual display (34) issuing

messages to a user (e.g., Figure 10), and a communications port permitting interconnection of the entertainment device to another entertainment device, thereby permitting exchange of programmed information between devices (Figure 3). Brown'603 does not expressly disclose a voice synthesizer being electrically interconnected to the programmable electronic circuit. However, Hashimoto teaches implementing a voice synthesizer into electronic devices in order to issue instructions to a user of the device (col. 1, lines 10-18). It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the speech synthesizer as taught by Hashimoto into the device of Brown'603 in order to indicate to a user a desired action to be taken by the user. Brown'603, as modified by Hashimoto, does not expressly disclose that the voice synthesizer issues spoken prompts and taunts to a user of the entertainment device. However, Sloane teaches a behavior modification method by which a user is presented with peer pressure while attempting to refrain from an adverse behavior (col. 6, lines 40-45). It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the teaching of Sloane into the system of Brown'603, as modified by Hashimoto in order to ensure that the user will be able to endure peer pressure when tempted to revert to the undesired behavior. Further, regarding claim 26, Brown'603 discloses a memory (18). Further, regarding claim 27, Brown'603 discloses that the device can be used to target smoking (col. 6, lines 65+). Further, regarding claim 28, Brown'603, as modified by Hashimoto and Sloane, does not expressly disclose that messages should be related to life expectancy. However, the examiner takes Official Notice that life expectancy is one of the most commonly addressed effects of smoking,

and therefore, it would have been obvious to include issues of life expectancy as messages to the user of the game in order to encourage the user to stop smoking in order to lengthen their life. Regarding claim 29, Brown'603 discloses allowing the user to select a certain software based on the behavior change desired (Figure 4).

13. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brown'603, as modified by Hashimoto and Sloane, further in view of Brown'855 (US Patent No. 5,899,855). Brown'603, as modified by Hashimoto and Sloane, does not expressly disclose a microphone, the microphone being electrically interconnected to an electronic circuit, the microphone receiving sounds from the user. However, Brown'855 teaches a system of the same structure as that of Brown'603 that can be implemented using voice input from the user (col. 21, lines 34-45). It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the voice response from the user in to the system of Brown'603 in order to enable users with low dexterity to use the device easily.

14. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brown'263 (US Patent No. 5,307,263) in view of Hashimoto, Sloane, and Belman et al. (US Patent No. 4,981,295). Brown'263 discloses an entertainment device comprising a case (40), a power source (inherent, since it is a hand-held unit), a programmable electronic circuit powered by the power source (inherent, since it is a microprocessor unit), and a communications port permitting interconnection of the entertainment device

to another entertainment device, thereby permitting exchange of programmed information between devices (Figure 1). Brown'263 does not expressly disclose a voice synthesizer being electrically interconnected to the programmable electronic circuit. However, Hashimoto teaches implementing a voice synthesizer into electronic devices in order to issue instructions to a user of the device (col. 1, lines 10-18). It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the speech synthesizer as taught by Hashimoto into the device of Brown'263 in order to indicate to a user a desired action to be taken by the user. Brown'263, as modified by Hashimoto, does not expressly disclose that the voice synthesizer issues spoken prompts and taunts to a user of the entertainment device. However, Sloane teaches a behavior modification method by which a user is presented with peer pressure while attempting to refrain from an adverse behavior (col. 6, lines 40-45). It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the teaching of Sloane into the system of Brown'263, as modified by Hashimoto in order to ensure that the user will be able to endure peer pressure when tempted to revert to the undesired behavior. Brown'263 discloses that the device is used to monitor the airflow of a user (col. 7, lines 56-60), but does not explicitly disclose the method used for this. However, Belman discloses a device for monitoring breathing that comprises a bore passing through the surface of the case, with a tube interconnected to the bore and extending outwardly from the case, the tube being configured to allow the user to exhale into and out of the device (Figure 1), at least one vent perforation formed within the case, the vent perforation permitting air to pass in and out of the device (12), and a flow

restrictor that affects the effort that the user must exert to inhale through the tube (col. 4, lines 7-9). It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the breathing monitor as taught by Belman into the device of Brown'263 in order to accurately track the breathing patterns of the user.

15. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brown'603, as modified by Hashimoto and Sloane, further in view of Diamond. Brown'603, as modified by Hashimoto and Sloane, does not expressly disclose a slot, the slot being formed within a surface of the enclosure so as to permit the introduction of a thin material into the enclosure, and a momentary contact switch mounted adjacent to the slot and electrically interconnected to the electronic circuit, the momentary contact switch sensing the presence of money within the slot where the input is required in response to a prompt. However, Diamond discloses an educational device that uses coins to indicate user input to the device in response to a question and that rewards the user by returning the coins to the user for a correct action being taken (col. 2, lines 28-32). It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the method of using money to activate the learning device, as taught by Diamond, into the apparatus of Brown'603, as modified by Hashimoto and Sloane, in order to encourage a user to use the device.

16. Claims 33-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown'603, in view of Cohen et al. (US Patent No. 4,143,648) and Hashimoto.

Brown'603 discloses a portable personality simulator comprising a case (30) housing an electronic circuit (Figure 1). Brown'603 does not expressly disclose a microphone connected to a voice recognition device that verifies that the user is complying with commands issued by the simulator. However, Brown'603 discloses the option to monitor physical parameters of the patient while the patient is using the device. Furthermore, Cohen teaches monitoring the breathing of a person by using a microphone (2) along with a voice interpretation unit (9) that monitors the user. It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the physical parameter monitoring device of Cohen into the device of Brown'603 in order to monitor breathing patterns and other related physiological characteristics of the patient if these parameters are considered essential in the behavior modification desired. Brown'603, as modified by Cohen, does not expressly disclose a voice synthesizer that issues instructions to the user. However, Hashimoto teaches implementing a voice synthesizer into electronic devices in order to issue instructions to a user of the device (col. 1, lines 10-18). It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the speech synthesizer as taught by Hashimoto into the device of Brown'603, as modified by Cohen, in order to indicate to a user a desired action to be taken by the user. Further regarding claims 35-36 and 40, the personalities of paternalism, superiority, humor, and demanding (claim 35) as well as those of celebrities (claim 36) and the types of sounds detected by the electronic circuit (claim 40) are considered merely a matter of Design Choice since it is common in the art to use these types of personalities to convey a certain type of message to the user of the

device or these types of sounds to detect a certain type of response from the user of the device. The personality type chosen and the detected sounds chosen depend only on the desired ends. It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate any desired personality into the device as well as to detect any type of common sounds using the device in order to obtain a desired behavior modification result. Further regarding claim 37, Cohen discloses that the microphone can detect sounds such as inhaling or exhaling (col. 9, lines 8-11). Further regarding claim 38, Cohen discloses that the circuit is programmed to analyze an intensity parameter related to the sound of the bodily function (col. 5, lines 24-28). Regarding claim 39, the sound detected by the device of Cohen emanates from the user. Regarding claim 41, Brown'603 discloses a recording function that produces a record of the user's compliance with commands issued by the simulator, the record being reportable to a person other than the user (col. 6, lines 33-40).

17. Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brown'603, as modified by Cohen and Hashimoto, and further in view of Diamond. Brown'603, as modified by Cohen and Sloane, does not expressly disclose a slot, the slot being formed within a surface of the enclosure so as to permit the introduction of a thin material into the enclosure, and a momentary contact switch mounted adjacent to the slot and electrically interconnected to the electronic circuit, the momentary contact switch sensing the presence of money within the slot where the input is required in response to a prompt. However, Diamond discloses an educational device that uses

Art Unit: 3715

coins to indicate user input to the device in response to a question and that rewards the user by returning the coins to the user for a correct action being taken (col. 2, lines 28-32). It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the method of using money to activate the learning device, as taught by Diamond, into the apparatus of Brown'603, as modified by Cohen and Sloane, in order to give incentive to the user for using the device.

Allowable Subject Matter

18. Claim 32 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: none of the prior art documents shows a device designed to simulate borrowing of a product from another entertainment device via a communications port.

Response to Arguments

Applicant's arguments with respect to claims 1-4, 6-30, and 32-42 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Art Unit: 3715


19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maria Stoica whose telephone number is (571) 272-5564. The examiner can normally be reached on M-F: 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MS


KATHLEEN MOSSER
PRIMARY EXAMINER

 6/12/06
ROBERT P. OLSZEWSKI
SENIOR PATENT EXAMINER
TECHNOLOGY CENTER 388 3700